

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:23-cv-50-MOC-SCR**

FRANCIS F. FARINA,)
On behalf of himself and others)
similarly situated,)
)
Plaintiff,)
)
vs.)
)
)
)
MAZDA MOTOR OF AMERICA, INC.,)
KEFFER MAZDA,)
On behalf of himself and others)
similarly situated,)
)
Defendants.)
_____)

ORDER

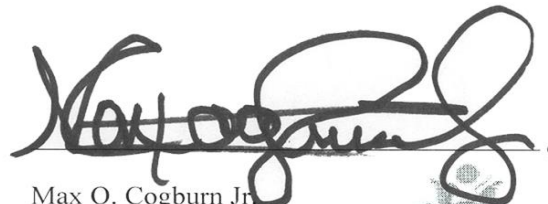
This matter is before the Court on a Motion to Vacate Stay, filed by Plaintiff. (Doc. No. 46).

This Court entered a stay in this action on June 28, 2023, pending resolution of a class action in the first-filed case, Guthrie v. Mazda Motor of America, Inc., Case No. 22cv1055, in the United States District Court for the Central District of California, Southern Division. Plaintiff seeks a lifting of the stay so that Plaintiff may file a motion to intervene in Guthrie. Plaintiff explains that a hearing on a proposed settlement in Guthrie is set for February 26, 2024, and the settlement accompanies a release of all claims by the Plaintiff class members. Plaintiff argues that the Court should lift the stay so that Plaintiff may seek intervention in the Guthrie matter to protect his and the other class members' claims in this action. Plaintiff argues that denying the motion to vacate to stay will deprive Plaintiff of his right to seek intervention in Guthrie.

Defendants oppose the motion.

The Motion to Vacate Stay, (Doc. No. 46), is **GRANTED**, and the motion to stay is lifted so that Plaintiff may file a motion to intervene in Guthrie.

IT IS SO ORDERED.



Max O. Cogburn Jr.
United States District Judge